

T-1603

# DEPARTMENT OF THE INTERIOR DEPARTMENTAL MANUAL

Organization

Part 130 Bureau of Indian Affairs

Chapter 1 Creation, Objectives, and Functions

130 DM 1.1

1.1 Creation. The Bureau of Indian Affairs was created in the War Department in 1824 and in 1849 was transferred to the Department of the Interior. The Snyder Act of 1921 (42 Stat. 208; 25 U.S.C. 13) provided substantive law for appropriations covering the conduct of activities in the Bureau of Indian Affairs. The scope and character of the authorizations contained in this Act were broadened by the Indian Reorganization Act of 1934 (48 Stat. 984; 25 U.S.C. 461 et seq.); by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450); and by Title XI of the Education Amendments of 1978 (Pub. L. 95-561). The authority of the Commissioner of Indian Affairs and of the Director, Office of Indian Education Programs, as delegated by the Assistant Secretary - Indian Affairs, is set forth in Part 230 of the Departmental Manual. The authority of subordinate officers and employees, as redelegated by the Commissioner and the Director, Office of Indian Education Programs, or as redelegated by others in the Bureau, is set forth in the Bureau of Indian Affairs Manual.

1.2 Objectives. The principal objectives of the Bureau are to actively encourage and train Indian and Alaska Native people to manage their own affairs under a trust relationship with the Federal Government; to facilitate, with maximum involvement of Indian and Alaska Native people, full development of their human and natural resource potentials; to mobilize all public and private aids to the advancement of Indian and Alaska Native people for use by them; and to utilize the skill and capabilities of Indian and Alaska Native people in the direction and management of programs for their benefit.

1.3 Functions. The major functions of the Bureau, through which its objectives are to be achieved, include the following:

A. The Bureau works with Indian and Alaska Native people, other Federal agencies, state and local governments and other interested groups in the development and implementation of effective programs for the advancement of Indian and Alaska Native people.

B. The Bureau, in cooperation with Indian and Alaska Native people, seeks for them adequate educational opportunities in public education systems, assists them in the creation and management of educational systems for their own benefit, or provides from Federal resources the educational systems needed.

C. The Bureau actively promotes the improvement of the social welfare of Indian and Alaska Native people by working with them to obtain needed social and community development programs and by providing programs of community service as needed and desired by them.

D. The Bureau works with Indian and Alaska Native people in the development and implementation of programs for their economic advancement and for full utilization of their natural resources consistent with the principles of resource conservation.

41RR, lenexa  
K51 75-90-28 Box 3  
No file Name

## DEPARTMENTAL MANUAL

Organization

Part 130 Bureau of Indian Affairs

## Chapter 4 Trust Responsibilities

130 DM 4.1

4.1 The Office of Trust Responsibilities provides staff support to the Commissioner of Indian Affairs in the development and management of Bureau programs associated with Indian trust resources, including: agricultural, range, mineral, forest, wildlife and water resources; real property management; financial trust services; transportation systems; environmental quality; investment of Indian trust funds; and Indian rights protection. The Bureau's trust responsibilities include: the protection of the rights of Indians in their trust property and those rights affecting trust property that are afforded by tribal sovereignty; exercise of the authorities delegated by the Secretary of the Interior concerning Indian trust property; for providing to Indians the services necessary for them to make decisions required of them in the development of their resources; and administration of those programs designed to facilitate the trust. The Office of Trust Responsibilities plans, develops, monitors, and evaluates programs, policies, standards, procedures, and feedback systems for its assigned programs; participates in the allocation of Bureau resources for respective program operations; and makes recommendations to the Commissioner for necessary changes or adjustments in the programs and in their implementation.

4.2 Program and Management Services Staff provides staff assistance and advice to the Director and performs program coordination for all functions of the Office relative to: program planning, budget, finance, procurement, personnel matters, property, reports management and preparation. The staff also develops internal management controls. Continual cooperation and liaison is maintained with the Office of Administration in accomplishing the objectives and services of this staff.

4.3 The Rights Protection Staff provides staff assistance and advice to the Director regarding all matters involving rights issues, which include water rights, the rights afforded by tribal sovereignty, such as: contractual rights, tax immunity or exemption, zoning and other land use; and also provides technical assistance in preparation of legislation and legislative reports. It maintains continual contact, or liaison, with other Federal agencies, tribal officials, and Area and Agency office officials concerned with Indian rights.

4.4 The Environmental Services Staff provides assistance and advice to the Director regarding all matters relating to the environmental statutes which have application to, or implications for, Indian trust lands. The functions of this staff include recommending policies and drafting guidelines and handbooks for ensuring Bureau compliance with legislation such

# DEPARTMENTAL MANUAL

Organization

Part 130 Bureau of Indian Affairs

Chapter 4 Trust Responsibilities

130 DM 4.4

as the National Environmental Policy Act, the Endangered Species Act, the Clean Air and Water Act, and other statutes dealing with the environment and the preservation of cultural and archaeological resources. In addition, this staff coordinates the review of environmental reports and statements prepared by other Federal agencies. It provides professional assistance to Area Offices and Agencies in implementing Bureau policies and procedures for environmental services.

4.5 The Division of Trust Funds Management with staff located in Albuquerque, New Mexico, provides staff assistance to the Director in carrying out the Bureau's trust funds management responsibility which includes: trust funds research, reporting and technical assistance; investment of trust funds, and responsibilities for IIM and IMPL management. It accounts for and approves disbursement of tribal and individual Indian monies deriving from the sale or lease of tribal resources such as land, timber, minerals and water, and the disbursement of per capita payments, judgments, awards, and claims. The Division performs two distinct functions.

A. The first of these is primarily research oriented, with regard to: preparation of trust funds reports and histories; adjustment of tribal trust funds and individual Indian money accounts in cases of error; preparation of financial data for contracts and leases of automated accounting systems; project research for special fiscal problems; reports for litigation cases; and development of special reporting and operational procedures. This element maintains liaison with the Investments Branch in Albuquerque, New Mexico, and with the Division of Tribal Government Services in the Office of Indian Services, relative to judgments, awards, Indian claims, and related matters.

B. The other major function of this Division is assuring that a maximum of funds available for investment are placed in accord with the law in a manner which will generate the maximum return on investment, while taking account of tribal and individual Indian needs for available funds. This function also includes: development of procedures for the proper safeguarding, accounting, and reporting of investments and related transactions; development of technical guidance programs for Area, Agency, and tribal officials regarding investments; consultation with Area and tribal officials in the development of investment programs which will increase earnings to individual tribes; and maintaining contact with the Treasury Department in regard to investment activities.

11/17/81 #2362

Replaces 5/2/80 #2258 and 1/29/80 #2235

COPIES ONLY

# DEPARTMENTAL MANUAL

Organization

Part 130 Bureau of Indian Affairs

Chapter 4 Trust Responsibilities

130 DM 4.6

4.6 The Division of Forestry with staff located in Boise, Idaho, and Fort Collins, Colorado, provides staff assistance and advice to the Director in the formulation and implementation of policies for the activities of appraisal and sale of timber, forest inventories and subsequent analysis of inventory data, preparation and revision of multiple-use management plans for the forest land base, forest improvement projects, and forest protection. In compliance with the Bureau's trust responsibilities, this Division exercises program oversight and provides planning and scheduling of Bureau-wide forestry activities at the national level to insure that regulatory and policy requirements are followed and that technical standards of sound forest management are upheld; develops, reviews, and keeps current program administration directives controlling the Bureau's forestry operations; coordinates with the Congressional and Legislative Affairs Staff on legislative initiatives to facilitate management of Indian forest resources; and maintains active working relationships with other governmental and private organizations concerned with forestry problems of mutual interest.

4.7 The Division of Energy and Minerals Resources, with staff located in Denver, Colorado, provides staff assistance and advice to the Director regarding coordination of Bureauwide Indian energy and mineral resource policies, standards, goals and objectives; proposing, developing, and coordinating all Bureau programs involving Indian energy and mineral resource management; preparation of regulations and development of procedures for application by Area and Agency offices in activities pertaining to the conservation, development and leasing of mineral resources on Indian lands; coordination with other Agencies within the Department and other governmental agencies, and industry personnel; advice to Bureau management on mineral related technical issues; review of mineral accounting procedures; supervision of the Bureau mineral inventory program; review of environmental impact statements, giving comments related to mineral resource development; monitoring of contracts and production programs in oil and gas; economic analyses, and other activities related to: coal, oil, gas, uranium, copper, molybdenum, tungsten, and other mineral resources. It is also responsible for direct assistance to Area offices in the negotiation of agreements and monitoring compliance with the terms of mineral agreements, as well as liaison with the Bureau of Mines' Mineral Availability System, the Geological Survey, the Bureau of Land Management, and the Office of Surface Mining officials located in Denver.

DEPARTMENT OF THE INTERIOR  
**DEPARTMENTAL MANUAL**

Organization

Part 130 Bureau of Indian Affairs

Chapter 4 Trust Responsibilities

130 DM 4.8

4.8 The Division of Real Estate Services, with staff located in Albuquerque, New Mexico, provides staff assistance and advice to the Director in activities related to land resources and real property management which include: acquisition, disposal, tenure and management; appraisals and land use planning; land records improvement and maintenance; sales, exchanges, partitions, issuance of patents in fee, removal of restrictions, grants of rights-of-way; issuance of licenses, permits and leases of real estate under Bureau jurisdiction, assignment of tribal lands to members of tribes, probate matters; and review and evaluation of these activities at the field level. Provides technical staff duties of real estate counseling and land use planning to support Bureau and tribal programs in leasing and development of Indian lands; is responsible for assuring that land related information essential to the prudent conduct of the Bureau's trust responsibility over Indian resources is adequately recorded, stored, and made retrievable; provides technical support for the five Bureau title plants, and periodically reviews their performance with the Area Directors who have line responsibility for them.

4.9 The Division of Water and Land Resources with staff located in Denver, Colorado, provides staff assistance and advice to the Director in matters relating to planning and development of program standards for Bureauwide water and land resources development which include: irrigation and power project construction and operation and maintenance; and agriculture, range, soil and moisture conservation. This Division also provides staff advice for all activities related to the planning, management, conservation, development and utilization of the Indians' soil, water, and range land resources; administers the Bureau's pesticide program on Indian lands; and directs the Bureau's flood plains management program. Provides technical advice and assistance, as required, for the authorization, planning, design, construction, management and operation of Indian irrigation and power projects, water development projects, water utilization, and protection of water rights. Responsible for review of, and making recommendations concerning, the Bureau's dam safety program; reviews and comments on feasibility studies and other planning reports concerning the development of water and related land resources when Indian lands and water are involved. Provides liaison with Area and Agency office officials on matters which affect Indian lands or water.

4.10 The Division of Fish, Wildlife, and Recreation provides staff advice and assistance to the Director in the area of hunting and fishing rights, fish and game management, fishery and hatchery operations, and fish and game management, fishery and hatchery operations, and

11/17/81 #2362

Replaces 5/2/80 #2258 and 1/29/80 #2235

COPIES ONLY

# DEPARTMENTAL MANUAL

Organization

Part 130 Bureau of Indian Affairs

---

## Chapter 4. Trust Responsibilities

130 DM 4.10

---

fish and game enhancement activities. In addition, it is responsible for policy guidance and professional assistance to Bureau offices in the development of wildlife and outdoor recreation plans and activities on Indian trust lands. This Division provides staff support to Bureau activities in negotiating agreements between tribes and states and in developing positions in international negotiations.

4.11 The Division of Transportation provides staff assistance to the Director regarding Bureau programs for analysis, design, construction, and maintenance of roads, bridges, airfields, and other transportation facilities with the ultimate objective of enhancing reservation economics and services to Indian and Alaska Native people. The Division includes a technical support staff in Albuquerque, New Mexico, which provides the Area and Agency Offices with Highway Safety Program services and with computer operated design, inventory, equipment, and project management services. The Division maintains liaison with Federal Highway Administration, National Highway Traffic Safety Administration and the Federal Aviation Administration.

11/17/81 #2362

Replaces 5/2/80 #2258 and 1/29/80 #2235

COPIES ONLY